REMARKS

This is a request for continued examination of the present application. Further consideration in view of the amendments and following remarks is respectfully requested.

Claims 1 through 4 have been cancelled in favor of newly presented claims 9 through 13. The new claims distinguish the application over the cited prior art, including Kashmerick in view of Miyaoh. Claim 9 recites a gasket comprising a metal gasket plate formed with an aperture and an annular flange formed as one piece of the same material as that of the gasket plate and in folded over surface-to-surface contact with an annular portion of the plate surrounding the aperture. The flange has arcuately spaced areas of varying thickness and of varying radial extent relative to the aperture, with the relatively thicker areas having a relatively greater radial extend than that of the relatively thinner areas of the flange.

The primary Kashmerick reference teaches forming the flange portion by extruding and ironing the flange prior to folding it over on the gasket body. This is illustrated in Figures 3B, 4B, and 5-6B. Importantly, Kashmerick teaches trimming the flange following the extruding operation to remove any disruptions caused by the extrusion process (see column 4, lines 1 through 3, and column 6, lines 22+). Thus, while Kashmerick may teach the formation of a variable thickness flange in connection with the embodiments of Figures 5 through 6B, it also teaches trimming the extruded flange prior to the folding operation in order to remove irregularities caused by the extrusion process. Kashmerick discloses flange lengths of between 1.5 and 2.5mm. There is nothing to suggest that the flange, once folded over, is anything but circular on its outer periphery. The secondary Miyaoh reference is believed to add nothing to what is otherwise expressly taught in Kashmerick. In particular, the variable diameter flange 14A, 14 B of Miyaoh is of uniform thickness and not formed of a metal gasket plate folded over in surface-to-surface with itself, but rather as a thinner layer 12 folded around an intermediate metal base plate 11, such that portion 11A is interposed between the folded portions of the flange. It is unclear how or why one of ordinary skill in the art looking at both the Kashmerick and Miyaoh references would be lead to combine them in a way that would meet applicants' claim 9. In particular, the teachings of the primary Kashmerick reference disclose that a trimming operation removes any irregularities formed by

extrusion of the flange, such as variable length, prior to folding the extruded flange onto the metal plate. The examiner's suggestion to incorporate Miyaoh would seem to run counter to the express teachings of Kashmerick of removing any irregularities following the extrusion process. Further, there is nothing that would lead one to combine the uniform thickness, variable diameter flange teachings of Miyaoh with the variable thickness uniform diameter flange teachings of Kashmerick. The combined teachings of these references do not suggest any desire or benefit of combining both variable thickness and variable diameter of the flange, as called for by applicants' claim 9. It is respectfully submitted, therefore, that claim 9 distinguishes applicants' invention patentably over Kashmerick in view of Miyaoh and should be allowed.

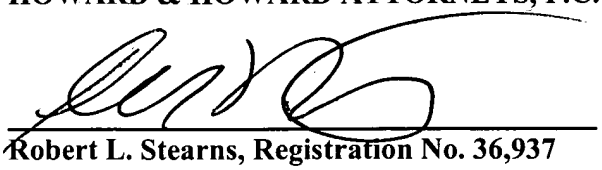
Independent claim 11 recites a gasket having the distinguishing features of a variable thickness, variable radial extent flange formed from the metal gasket plate material and folded back upon the metal plate about the aperture. For the same reasons given above in support of the patentability of claim 9, it is believed that claim 11 is also allowable over Kashmerick in view of Miyaoh.

The remaining claims depend, ultimately, on either claim 9 or 11 and are believed allowable for the same reasons. The dependent claims distinguish over their parent and one another by reciting applicants' invention in greater detail.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 06-0420.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.



April 27, 2005
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CERTIFICATE OF MAILING

I hereby certify that this After-Final **Amendment** for U.S. Serial No.: 10/004,071 filed October 25, 2001 is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 27, 2005.

Karri M. Chamberlin